

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re:

OMAR VARGAS PUGA ,

Debtor(s).

IN CHAPTER 13 PROCEEDING  
NO. 15-10029-CMA

DECLARATION OF  
PHILIP GRIMES

Philip Grimes declares and states as follows:

1. I am employed by K. Michael Fitzgerald, Chapter 13 Trustee (Trustee), as a case manager. I have personal knowledge concerning the information in this declaration and I am competent to testify to this information.

2. Through my employment I have access to the Trustee's system and records, including plan payment records. Through my employment I have access to the Court's electronic case filing system.

3. On March 17, 2017, the Court entered a Stipulated Order Resolving Trustee's Motion to Dismiss (ECF No. 43). That order requires the debtor to make the plan payment each month for the six month period beginning March, 2017. The Trustee is permitted to submit an *ex parte* order dismissing the case if the debtor failed to comply with that order.

4. Based on the Trustee's records, the debtor has failed to comply with the Court's order. The debtor's plan payments are \$60.00 weekly (ECF No. 25). The Trustee has received the following payments during the term of the strict compliance order:

\$0.00 received in March, 2017

\$300.00 received in April, 2017

\$240.00 received in May, 2017

\$240.00 received in June, 2017

\$0.00 received in July, 2017

DECLARATION OF  
PHILIP GRIMES - 1

Chapter 13 Trustee  
600 University St. #2200  
Seattle, WA 98101-4100  
(206) 624-5124 FAX 624-5282

1 \$0.00 received to date in August, 2017

2 5. Based on the default under the terms of the Court's order, this case should be  
3 dismissed.

4 I certify under penalty of perjury under the laws of the state of Washington that this  
5 information is true and correct to the best of my knowledge.

6 Dated this 22nd day of August, 2017

7  
8 /s/ Philip Grimes

9 Philip Grimes  
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DECLARATION OF  
PHILIP GRIMES - 2

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